

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

January 16, 2007

CALL TO PODIUM:

Fred Felton
Assistant City Manager

RESPONSIBLE STAFF:

Fred Felton
Ivan Humberson

AGENDA ITEM:

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
	Resolution
<input checked="" type="checkbox"/>	Policy Discussion
	Work Session Discussion Item
	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	12/04/06
Advertised	12/06/06
Hearing Date	12/18/06
Record Held Open	01/10/07
Policy Discussion	01/16/07

TITLE:

An Ordinance to Amend Chapter 5 of the City Code Entitled "Buildings," to Create a New Article VI Entitled "Additional Fire Safety Requirements for Certain Multi-Family Residential Structures" to Create a New Section 5-12 Entitled "Automated Sprinkler Systems" to Require the Retrofit Of Certain Multi-Family Residential Structures With Automated Sprinkler Systems

SUPPORTING BACKGROUND:

Staff is concerned about the lack of automated fire suppression sprinkler systems in our aging multi-family housing stock.

The City has required the installation of sprinklers in new multi-family dwellings for over 25 years, and we now require sprinklers for all residential construction; however, we have thousands of apartments built in the 1960's and 70's that are not equipped with fire suppression systems.

We expect that a significant number of our aging apartments could be renovated or converted to condominiums in the relatively near future. Our Fire Marshall has indicated that it is fairly easy and economical to retrofit an existing multi-family dwelling with sprinklers when they are vacant.

The attached ordinance would require the installation of automated sprinkler systems whenever an existing multi-family dwelling containing at least four (4) dwelling units should become vacant for a period of more than ninety (90) days.

Staff believes this is a reasonable approach to phasing in a sprinkler requirement for our aging multi-family stock.

DESIRED OUTCOME:

Record closed as of 5:00 PM on January 10, 2007. Ordinance is ready for final action.

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SUPPORTING BACKGROUND CONTINUED

A public hearing was held on this proposed ordinance on December 18, 2006. The only speaker at the public hearing was Lisa Hoover who represents the Apartment and Office Building Association of Metropolitan Washington (AOBA). Ms. Hoover testified that her organization was in favor of the proposed ordinance, but wanted to work with the City on certain definitions that would provide some clarification. Subsequently, staff received the attached letter from Ms. Hoover dated December 20, 2006.

Staff agrees with the definitions recommended by Ms. Hoover, and they have been incorporated into the revised ordinance. No other substantive changes have been made.

When the ordinance was originally introduced on December 4, 2006, a Council member requested data on the cost of retrofitting existing buildings with sprinklers. Staff believes the attached memorandum dated January 4, 2007 from fire Marshall Humberson is responsive to this request.

Ordinance No. _____

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CITY CODE
ENTITLED "BUILDINGS," TO CREATE A NEW ARTICLE VI ENTITLED
"ADDITIONAL FIRE SAFETY REQUIREMENTS FOR CERTAIN MULTI-FAMILY
RESIDENTIAL STRUCTURES" TO CREATE A NEW SECTION 5-11 ENTITLED
"AUTOMATED SPRINKLER SYSTEMS" TO REQUIRE THE RETROFIT OF
CERTAIN MULTI-FAMILY RESIDENTIAL STRUCTURES WITH AUTOMATED
SPRINKLER SYSTEMS

BE IT ORDAINED, by the Mayor and City Council of the City of Gaithersburg,
in public meeting assembled, that Chapter 5 of the City Code, Article VI, Section 5-
11, is hereby enacted to read as follows:

ARTICLE V. THE INTERNATIONAL FUEL GAS CODE (2003)

* * * * *

**ARTICLE VI. ADDITIONAL FIRE SAFETY REQUIREMENTS FOR CERTAIN
MULTI-FAMILY RESIDENTIAL STRUCTURES**

Sec. 5-11. AUTOMATED SPRINKLER SYSTEMS

(a) A vacant multi-family residential structure containing four (4) or more dwelling units may not be reoccupied until automated sprinkler systems are installed pursuant to the requirements of the applicable National Fire Protection Association sprinkler standard.

(b) For the purposes of this section, the following terms shall be defined as indicated:

- (1) *Building*-Any structure used or intended for supporting or sheltering any use or occupancy.
- (2) *Dwelling Unit*-One or more rooms arranged for complete, independent housekeeping purposes with space for eating, living, and sleeping; facilities for cooking; and provisions for sanitation.

- (3) Multi-family residential structure-A building or portion thereof containing four or more dwelling units with independent cooking and bath facilities
- (4) Vacant-a building not occupied by one or more persons for a period of at least ninety (90) days.

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ADOPTED this 16TH day of January, 2007, by the City Council of Gaithersburg, Maryland.

SIDNEY A. KATZ, MAYOR and
President of the Council

DELIVERED to the Mayor of the City of Gaithersburg, Maryland, this 16th day of January, 2007. APPROVED by the Mayor of the City of Gaithersburg this 16th day of January, 2007.

SIDNEY KATZ, Mayor

THIS IS TO CERTIFY that the foregoing ordinance as adopted by the City Council of Gaithersburg, in public meeting assembled, on the 16th day of January, 2007, and that the same was approved/vetoed by the Mayor of the City of Gaithersburg on the 16th day of January, 2007. This Ordinance will become effective on the 5th day of February, 2007.

David B. Humpton, City Manager